

DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS & ST. JOHN

LAWRENCE CARTY, et al.,)
)
 Plaintiff,)
)
 v.) Civil No. 1994-78
)
 KENNETH MAPP, et al.,)
)
 Defendants.)
)

ATTORNEYS:

Eric Balaban

National Prison Project of the ACLU
Washington, DC

For the plaintiff Lawrence Carty,

Joseph Ponteen, Acting Attorney General

Shari N D'Andrade, AAG

Carol Thomas-Jacobs, AAG

Virgin Islands Department of Justice
Christiansted, VI

For the defendant Governor Kenneth Mapp.

ORDER

GÓMEZ, J.

During the course of the November 28, 2018, quarterly evidentiary hearing in this matter, Lawrence Cary and similarly situated inmates (collectively "Carty") in the custody of the Virgin Islands Bureau of Corrections ("BOC"), argued that the Virgin Islands Government (the "GVI") was in breach of its

obligation to develop an interim plan for the timely transfer of inmates in need of intermediate or inpatient care to appropriate stateside psychiatric facilities. At the conclusion of the hearing, the total number of inmates at the BOC in need of intermediate or inpatient care was unclear. It was also unclear when the GVI intends to provide for the transfer of such inmates to appropriate psychiatric facilities, as well as how such transfers will be undertaken.

In light of these concerns, on December 17, 2018, the Court ordered the GVI to submit a brief addressing the following areas

- (1) the total number of inmates in need of intermediate or inpatient care at appropriate psychiatric facilities as of September 14, 2018, as well as the current custodial and procedural status of those inmates;
- (2) the dates certain by which the GVI will transfer each of those inmates to psychiatric facilities; and
- (3) for the 2018 calendar year, the number of inmates in need of intermediate or inpatient care at appropriate psychiatric facilities that have been released.

See Order, December 17, 2018, ECF No. 1063.

On December 28, 2018, the GVI filed a response detailing (1) the status of 14 individuals in need of intermediate or inpatient care currently in the BOC's custody, (2) the time by which the BOC will transfer such individuals to an appropriate psychiatric facility, and (3) the number of mentally ill

prisoners released during the 2018 calendar year. See Response,
ECF No. 1070.

The premises considered, it is hereby

ORDERED that no later than 3:00 P.M. on January 11, 2019,
to the extent Carty wishes to do so, he shall reply to the GVI's
response to the Court's December 17, 2018, Order.

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Curtis V. Gómez
District Judge